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8 Attorneys for Petitioners  
HYOSUNG (AMERICA), INC. and  
9 NAUTILUS HYOSUNG INC.

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 OAKLAND DIVISION  
14

15 HYOSUNG (AMERICA), INC. and  
16 NAUTILUS HYOSUNG INC.

17 Petitioners,

18 v.

19 HANTLE USA, INC.,

20 Defendant.  
21

Case No. CV-10-2160- SBA

**STIPULATION AND ORDER  
REGARDING ADR PROCESS**

Judge: Hon. Sandra B. Armstrong

22  
23 Pursuant to Civil L.R. 16-8(c), Plaintiffs Hyosung (America), Inc. and Nautilus Hyosung  
24 Inc. and Defendant Hantle USA, Inc. have conferred concerning selection of an ADR process for  
25 this case. The Case Management Conference in this case was originally scheduled for September  
26 27, 2010, but is now scheduled for February 1, 2011, due to several postponements.

27 Plaintiffs have informed Defendant Hantle USA that they intend to move to amend their  
28 complaint to add Genmega, Inc., as an additional defendant. The parties have agreed that in view

1 of the possible addition of a new party, it is premature to select an ADR process until after a  
 2 decision is made on whether that new party is added. Accordingly, the parties have agreed,  
 3 subject to a reservation of rights by both parties and the Court's approval, that they will discuss  
 4 an ADR process after a decision is made on whether Genmega, Inc. will be added as a party. The  
 5 parties have further agreed to file either a "Stipulation and (Proposed) Order Selecting ADR  
 6 Process" or a "Notice of Need for ADR Phone Conference" after those discussions are completed.

7 In addition to stipulating to the above, I, Grant L. Kim, attest that concurrence in the filing  
 8 of this Stipulation has been obtained from Matthew Poppe, Counsel for Defendant Hantle USA.

9 Dated: January 11, 2011

10 ADAM A. LEWIS  
 11 GRANT L. KIM  
 12 ALISON M. TUCHER  
 13 BARBARA N. BARATH  
 14 MORRISON & FOERSTER LLP

15 By: /s/ Grant L. Kim /s/  
 16 Grant L. Kim

17 Attorneys for Plaintiff(s)  
 18 HYOSUNG (AMERICA), INC.  
 19 NAUTILUS HYOSUNG, INC.

20 Dated: January 11, 2011

21 ROBERT E. FREITAS  
 22 MATTHEW H. POPPE  
 23 KRISTIN S. CORNUELLE  
 24 JACOB A. SNOW  
 25 ORRICK, HERRINGTON & SUTCLIFFE  
 26 LLP

27 By: /s/ Matthew H. Poppe /s/ [as authorized]  
 28 Matthew H. Poppe

Attorneys for Defendant  
 HANTLE USA, INC.

**[PROPOSED] Order**

PURSUANT TO STIPULATION, the deadline for the parties to file either a “Stipulation and (Proposed) Order Selecting ADR Process” or a “Notice of Need for ADR Phone Conference” is extended to thirty (30) days from the date this Order is filed.

IT IS SO ORDERED.

Dated: 1-12-11

By:   
SAUNDRA BROWN ARMSTRONG  
U.S. District Judge